REMARKS

Claims 7 and 11-13 are all the claims pending in the application.

After entry of the amendment, claims 7 and 12 will be pending.

Claim 7 has been amended to delete the recitation of treatment of AIDS and to incorporate the recitation of claim 13, that "n" is 0. Claims 11 and 13 have been canceled.

The Examiner is thanked for conducting a telephonic interview on April 23, 2007. A Statement of Substance of Interview is being filed herewith.

The Examiner is thanked for advising that the elected compound 2296, which featured as R_4 or R_5 is $(CH_2)_2S0_2CH_3$, is found allowable, as the prior art provides no sufficient guidance to reach the compound with CCR-3 inhibiting activity.

A. Claim Rejections - 35 U.S.C. § 103

1. Claims 7, and 12-13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Rogers et al. (WO 0031032, IDS 02/23/2005).

According to the Examiner, Rogers et al. teaches pyrrolidine derivatives-CCR-3 receptor antagonists with a general formula I, wherein Z may be N, A may be –NCO-, B is alkylene with 1-4 carbon inclusive wherein one of the carbon atoms may optionally be replaced by $–N(R_4)$-, $-NR_2C(O)NR_3-$[1], etc., Arl and Ar2 may be aromatic or heteroaromatic rings, wherein the heteroaryl means monovalent monocyclic or bicyclical aromatic radical of 5 to 10 ring atoms

[1] The Examiner appears to have made a mistake in that Rogers et al. does not teach that B is alkylene with 1-4 carbon inclusive wherein one of the carbon atoms may optionally be replaced by $-NR_2C(O)NR_3-$. Rather, $-NR_2C(O)NR_3-$ is one of the substituents represented by A.

including pyridyl, pyrrolyl, pyrimidinyl etc. However, the Examiner recognizes Rogers et al. does teach that "n" in the claimed compounds can be 0. The Examiner further asserts that Rogers et al. teaches that the compounds are useful pharmaceutical agents for treating CCR-3 receptor associated disorders, particularly, those eosinophil-mediated inflammatory diseases. The Examiner admits that Rogers et al. does not teach expressly the employment of the claimed compounds for treating eosinophilic disorders.

However, the Examiner concludes that it would have been prima facie obvious to a person of ordinary skill in the art, at the time the claimed the invention was made, to use the compounds herein as CCR-3 receptor antagonists for treating the eosinophilic disorders herein.

For the following reasons, the rejection is overcome.

Claim 7 has been amended to recite that "n" is 0. In contrast, the Rogers et al. compounds are all 3-methyl pyridines. Thus, the claimed compounds now lack the essential 3-methyl group of the Rogers et al. compounds.

Accordingly, the Examiner is requested, respectfully, to reconsider and remove this rejection.

2. Claim 11 is rejected under 35 U.S.C. 103(a) as being unpatentable over Rogers et al. (WO 0031032, IDS 02/23/2005), for reasons as set forth above, and in further view of Chen et al. (IDS 12/22/2004).

Claim 11 has been canceled, thus making this rejection moot.

3. Claims 7, and 11-13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Shiota et al. (WO 99/25686, IDS), in further view of Frade et al.

According to the Examiner, Shiota et al. teaches therapeutic compounds with a general formula essentially identical to the claimed formula (I). The Examiner also asserts that Shiota et al. discloses that the compounds inhibit the action of chemokines such as MIP-1 alpha, and/or MCP-1 on target cells and are useful for treating various disorders associated with chemokine receptors, including asthma, Crohn disease, etc. The Examiner recognizes that Shiota et al. does not teach treatment of the specific conditions recited in claim 7. In order to compensate for this deficiency, the Examiner cites Frade et al. as teaching that MCP-1 is a ligand receptor for CCR-2 and that the CCR-2 receptor acts as a co-receptor for HIV infection.

The Examiner concludes that one of ordinary skill in the art would readily use the comounds of Shiota et al. to treat AIDS, since MIP-1 is a ligand for CCR-2, which acts as a co-receptor for AIDS.

This rejection is overcome by amending claim 7 to delete treatment of AIDS. Since neither Shiota et al. nor Frade et al. teaches or discloses the other conditions recited in claim 7, even if the teachings are combined, the invention cannot be attained.

Accordingly, the Examiner is requested, respectfully, to reconsider and remove this rejection.

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the

Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,

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Date: April 26, 2006